

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
West Palm Beach Division**

Case No. _____

ISAAC SCHARF, DANIELLE SCHARF,)
EDWARD SCHARF, ALEX SCHARF, C.S.,)
a minor by and through his parent Isaac)
Scharf, H.S., a minor by and through his)
parents Isaac Scharf and Danielle Scharf, and)
R.S., a minor by and through her parents Isaac)
Scharf and Danielle Scharf)

Plaintiffs,

v.

BOCA GROVE PROPERTY OWNER’S)
ASSOCIATION, INC.)

Defendant.

COMPLAINT

Plaintiffs Isaac Scharf, Danielle Scharf, Edward Scharf, Alex Scharf, C.S., H.S., and R.S. (together, “Plaintiffs” or the “Scharfs”) hereby sue Defendant Boca Grove Property Owner’s Association, Inc. (“Boca Grove”) as follows:

INTRODUCTION

1. Boca Grove is a prestigious country club community that—to the dismay of some influential residents—has become home to an increasing number Orthodox Jews. Boca Grove discriminated against and punished one such Orthodox Jew, Isaac Scharf. His crime? He had the audacity to assist a famous Instagram personality wrap tefillin during a round of golf. Boca Grove concluded that wrapping tefillin was an “offensive religious practice.” But it gets worse. Not only did Boca Grove suspend Isaac from using all community services (including the use of his

vehicle's auto transponder) for wrapping tefillin, it suspended his wife and his five kids—even his one-year-old daughter was slapped with a 90-day suspension.

2. Plaintiff Isaac Scharf and his wife and three children, Plaintiffs Danielle, C.S., H.S., and R.S., are full-time residents of Boca Grove, a planned community in Boca Raton that is operated and maintained by Defendant Boca Grove. Isaac's two young-adult sons, Plaintiffs Edward and Alex Scharf, are permanent residents of the Scharf household in Boca Grove who are temporarily studying in Israel.

3. While Boca Grove has had Orthodox Jewish members for decades, its Orthodox population has increased dramatically since 2020, when the Scharfs and many other Orthodox families began moving to the community from other states in response to the Covid-19 pandemic.

4. The large increase in Boca Grove's Orthodox population has been met with a backlash by virulently anti-Orthodox members of the community, including many on its board of directors. Even as Boca Grove has taken steps to offer kosher amenities and events for the benefit of its large Orthodox population, there have been efforts by anti-Orthodox board members to make the community unwelcome to Orthodox families and drive them away to preserve the character of the community.

5. These efforts have included changing the community's rules and practices to make it more difficult and dangerous for Orthodox families to walk to synagogue on Shabbat and Jewish holidays, cancelling kosher amenities and dining options, and mistreating Orthodox members in Boca Grove's grievance process, with Orthodox members punished more harshly than their non-Orthodox peers.

6. The entire Scharf family has been caught in the crossfire of this anti-Orthodox campaign.

7. In December 2024, Plaintiff Isaac Scharf invited a Jewish golf influencer, Jake Adams, to Boca Grove for a round of golf. Adams is well-known in both the Jewish and golf communities and has a hilarious video series rating “Jewish country clubs.” Adams joined Isaac and several of Isaac’s Orthodox friends for a round of golf and some kosher food, with the knowledge, participation, and apparent excitement of Boca Grove’s staff. During the visit and with Boca Grove staff’s help, Adams recorded snippets of the group golfing and eating meals and of a moment when Isaac helped Adams wrap tefillin and recite some Jewish prayers at Boca Grove’s clubhouse.

8. When Adams released a short video of his visit to Boca Grove in January 2025, in which he rated Boca Grove a 9.2/10 Jewish country club, the Board’s anti-Orthodox members were furious. They were enraged that Adams’ video brought attention to Orthodox Jewish life at Boca Grove and made the community look inviting and welcoming to Orthodox Jews, thus interfering with their goal of driving the Orthodox community away and reducing its visibility. They swiftly moved to pretextually punish Isaac and all members of the golf outing for an “offensive social media video” that contained “references to religious practices that have been deemed offensive to a reasonable person.” The Board did this despite Isaac explaining the video’s overwhelmingly positive reception, Isaac’s and Adams’ positive intentions, Isaac having no control over the content of the video, and Adams’ offer to edit or clarify his post about the Boca Grove review to address any of the Board’s concerns.

9. The Board imposed a 90-day suspension on Isaac, banning him from all the community’s amenities and events. The punishment was subsequently ratified by Boca Grove’s hearing committee at a hearing in which Isaac was denied all of his proposed witnesses, board members appeared to improperly interfere with the final result, and Isaac was informed that the

Board was punishing him because Adams's "offensive social media video" had offended anti-Orthodox members of the community and the Board through its positive portrayal of Orthodox Jewish life at Boca Grove. During the hearing, Isaac was directly told that the "reference to religious practices" that the Board had deemed "offensive to a reasonable person" was the image of Isaac helping Adams wrap tefillin at the clubhouse, and that the Board was punishing him not because Adams' video was offensive *to* Jews who wrap tefillin, but that the sight of Jews wrapping tefillin at the clubhouse was itself offensive to the anti-Orthodox members of the community and the Board who despised their presence. The hearing made clear that Isaac was targeted and punished for being visibly Orthodox at Boca Grove's clubhouse.

10. Without notice or process, the Board subsequently extended the suspension to Isaac's entire family. Because of certain board members' vicious antipathy to Orthodox Jews, Isaac's wife, Plaintiff Danielle Scharf, and five children, Plaintiffs Edward, Alex, C.S., H.S., and R.S., have all been banned from Boca Grove's amenities, events, and social life. The Scharf family members had nothing to do with the video or the incident – they were punished anyway.

11. The effect of the suspension has been devastating on the Scharf family. They have lost their community, their social lives, and their sense of belonging in their own neighborhood and home. They feel unwelcome and like they have a target on their back as Orthodox Jews in a community run by people who despise them for their faith.

12. As a result of Defendant Boca Grove's discriminatory anti-Orthodox interference with Plaintiffs' right to enjoy their community and its amenities, Plaintiffs have suffered mental and emotional harm and financial costs for which Boca Grove is liable.

JURISDICTION AND VENUE

13. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 because claims pursuant to the Fair Housing Act (42 U.S.C. § 3601 *et seq.*) arise under the laws of the United States.

14. This Court has personal jurisdiction over Boca Grove because it is based in and operates out of Palm Beach County.

15. Venue is proper under 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the claims occurred in this judicial district.

PARTIES

16. Plaintiff Isaac Scharf (“Isaac”) is the husband of Plaintiff Danielle Scharf and the father of Plaintiffs Edward Scharf, Alex Scharf, C.S., H.S., and R.S.. He is an Orthodox Jew who lives in Boca Grove and is a dues-paying member of Boca Grove on behalf of his family. Isaac is an upstanding member of the community who, prior to the events described in this Complaint, has never been the subject of any grievance within Boca Grove nor been accused of violating any of its rules. He is a dedicated member of Boca Grove’s Architectural Control Committee and assists with the maintenance of community standards.

17. Plaintiff Danielle Scharf (“Danielle”) is the wife of Plaintiff Isaac Scharf and the mother of Plaintiffs H.S. and R.S.. She is an Orthodox Jew who lives in Boca Grove and is a member of Boca Grove. Danielle is well-regarded within Boca Grove’s community and is a leader in arranging social events among its members. She is a devoted full-time mother and an interior designer who manages the family’s household and leads its religious life.

18. Plaintiff C.S. is the 14-year-old son of Plaintiff Isaac Scharf. He is an Orthodox Jew who lives with his father in Boca Grove and is a member of Boca Grove through him. He is

respectful, rules-abiding, and considerate, and has never been the subject of any complaint within the community prior to the events described in this Complaint.

19. Plaintiff H.S. is the 5-year-old son of Plaintiffs Isaac and Danielle Scharf. He is an Orthodox Jew who lives with his parents in Boca Grove and is a member of Boca Grove through them. He is a sweet, happy, and social young boy who, prior to the events described in this Complaint, prospered from the social activities and events afford by the community.

20. Plaintiff R.S. is the 1-year-old infant daughter of Plaintiffs Isaac and Danielle Scharf. She lives with her parents in Boca Grove and is a member of Boca Grove through them.

21. Plaintiff Alex Scharf (“Alex”) is the 18-year-old son of Plaintiff Isaac Scharf. He is an Orthodox Jew who is temporarily visiting Israel for his studies but whose permanent home and domicile is the Scharf household in Boca Grove.

22. Plaintiff Edward Scharf (“Edward”) is the 22-year-old son of Plaintiff Isaac Scharf. Like his brother Alex, he is an Orthodox Jew who is temporarily visiting Israel for his studies but whose permanent home and domicile is the Scharf household in Boca Grove.

23. Defendant Boca Grove is a homeowners’ association and Florida corporation that operates and maintains Boca Grove, a planned residential community in Boca Raton, Florida. It is led by a board of directors elected from among Boca Grove members. Boca Grove operates and maintains amenities on the Boca Grove property, including a golf course, tennis courts, clubhouse, fitness facilities, a pool, dining options, and community events that are available for use by members of Boca Grove. Membership in Boca Grove and payment of associated dues is required for residents of Boca Grove. Boca Grove is subject to the Fair Housing Act.

FACTS

I. Boca Grove has an ongoing problem with discrimination against its growing Orthodox Jewish community.

24. Boca Grove is a residential development in west Boca Raton run and operated by Defendant Boca Grove. The community is built around Boca Grove's clubhouse and associated country-club-style amenities (the "Club") located at the heart of the development. The Club is a primary draw for residents to move to Boca Grove and become members of Boca Grove.

25. Since 2020, the Orthodox Jewish population within Boca Grove has grown tremendously, with many Orthodox families moving to the community because of its amenities, including occasional kosher events and dining options, its proximity to a nearby Orthodox synagogue, kosher restaurants, and Jewish schools, and the general reputation of Boca Raton as a having a strong religious Jewish community.

26. The growth of Boca Grove's Orthodox Jewish community has had a mixed and contentious reaction among non-Orthodox members, though it has indisputably been of extreme financial benefit to Boca Grove and the homeowners already living in Boca Grove. Prior to the interest in Boca Grove from the many Orthodox families moving to the area, home values were much lower, Boca Grove charged lower annual fees, and Boca Grove often struggled financially to maintain its operations—in some years, operating at marked deficits. As Orthodox families moved to Boca Grove in large numbers starting in 2020, home values increased multiple times over, with many homes that previously sold for less than \$300,000 now selling for millions of dollars. Boca Grove was repeatedly able to increase its membership fees due to the influx of new Orthodox residents. Boca Grove was taken from deficits to surpluses, able to not only maintain operations but expand them and provide greater value to new and existing members.

27. As Orthodox families moved in and increased Boca Grove's fortunes, the demographic composition of the Boca Grove community changed to the point that, on information and belief, roughly 40% of the homes in the community are owned by Orthodox families and 50% or more of the community's members are Orthodox. As this change occurred, Boca Grove began to offer more amenities that its Orthodox members could enjoy. As a matter of Jewish law, the Orthodox community is fastidiously dedicated to observing Jewish dietary laws by eating only kosher food. This meant that Boca Grove's large Orthodox community was unable to partake in the Club's dining amenities and social events where food was served. This left the Orthodox members paying full dues for amenities they could not participate in fully.

28. As a result, the Orthodox community worked with Boca Grove's management to arrange for kosher dining options and events at the Club. Over time, the Club introduced monthly kosher dinners and community events, occasional kosher food truck service by the Club's pool, and allowed members to arrange to bring in kosher food for their events and gatherings.

29. But the arrival of Orthodox families and Boca Grove's arrangements for kosher dining and community events to make them feel welcome has been met with backlash by certain elements within the community, including many of Boca Grove's current and former board members. These anti-Orthodox members and board members have been antagonistic to and disdainful of the Orthodox families moving into the community. A culture of anti-Orthodox sentiment has thus developed within Boca Grove and in the leadership of Boca Grove.

A. Boca Grove's Board has taken actions to make its Orthodox members feel unwelcome and to discourage more Orthodox families from moving in.

30. Anti-Orthodox members of the community have banded together in the last several years to lead initiatives to cancel or diminish the Club's kosher amenities and make Boca Grove unwelcome to Orthodox Jews in the hope of discouraging further Orthodox families from moving in and pushing existing Orthodox families to leave or cease enjoying the community's offerings.

31. In 2020, within weeks of the Scharfs moving to Boca Grove, one of Boca Grove's former board members harassed Plaintiff Danielle Scharf on Shabbat while she was walking to synagogue with her then-infant child, Plaintiff H.S., sticking his phone near her face and recording her and yelling at her because she and H.S. were visibly Orthodox.

32. In 2021, a non-Orthodox community member who was close to several anti-Orthodox board members put together a public statement *declaring* that Boca Grove should never offer full kosher dining options and that it was an avowedly secular community in which Orthodox Jews should know their place and be grateful for a limited set of kosher food options.¹ This member claimed to have collected a litany of supporting comments for his anti-Orthodox declaration from other members of the community and shared them with Boca Grove's Board.² The comments he presented included conspiratorial and hateful accusations against the Orthodox community, claiming that they would inevitably try to have the golf course shut down on Shabbat, that Orthodox Jews always ruin communities when they move to them, and that *all* kosher amenities should be canceled to drive the Orthodox members away, including even the unobtrusive occasional kosher food truck visits near the Club's pool.

¹ Exhibit A.

² Exhibit B.

33. This discriminatory campaign targeting Boca Grove's Orthodox community was not punished by the Board. Though Rule 3 of Boca Grove's Rules and Regulations³ requires all members to act with civility and respect for other members and Boca Grove staff and to avoid conduct that would offend a reasonable person—and despite the Board being willing to wield this rule profligately against Orthodox members for flimsy or nonexistent reasons, including against Plaintiff Isaac Scharf as described later in the Complaint—neither the member who put together this statement nor any of the members behind the most hateful and bigoted comments he gathered were punished by the Board.

34. Over the last several years, Boca Grove's Board has taken deliberate actions to make life in Boca Grove uncomfortable and unwelcoming for Orthodox Jews to diminish the community's appeal for Orthodox families.

35. In 2022, former board president Mark Gilman pushed the Board into changing its policy of allowing members to walk along the 15th hole of the golf course on Shabbat and Jewish holidays and along the course generally during the evening for the specific purpose of making life more difficult for Orthodox Jews. Due to Jewish law's restrictions on vehicle use during Shabbat and religious holidays, Orthodox families walk on foot during these times. Because of safety concerns from the South Florida sun and heat and from car traffic, the ability to walk along the 15th hole and along the golf course in the evening was a thoughtful consideration that enabled Orthodox members to safely, quickly, and comfortably walk to synagogue and other destinations on these occasions. These permissions had been in place for years as an accommodation to Orthodox members that all members could enjoy. The Scharfs and many Orthodox members were sold their homes by now-board member Richard Buch *on the premise* that these routes were

³ Exhibit C at 8.

available for families to use to walk to synagogue. Buch went so far as to help Orthodox prospective buyers time the walk from the homes they were interested in buying to the synagogue using the path as part of his strategy for closing sales. To spite the growing Orthodox community and systematically impair their enjoyment of Boca Grove and its appeal to Orthodox members, Gilman led the Board in removing these permissions. Gilman himself was open in his bigotry against Orthodox members. In one conversation with a community member who mentioned that another Orthodox family was buying a home in Boca Grove, Gilman disdainfully responded, “Oh, like we need another one of those here.”

36. Similarly, for years Orthodox families within Boca Grove have walked along a path by the 14th hole on the golf course to get to synagogue during Shabbat and Jewish holidays. The path shortened the commute to and from synagogue for many families, provided shade from the sun and heat, and made it easy for families with young children and babies in strollers to walk safely by keeping off the roads. This convenience is one of the factors that made Boca Grove appealing to Orthodox families, who need to walk to and from synagogue with their children at least once a week. Based on the position of the path relative to the golf course, injuries did not occur from people walking along the path while golfers played the course, nor were they likely to.

37. In 2024, the Board’s anti-Orthodox members and now-board member Larry Cohen, who at the time led Boca Grove’s golf committee, decided to again spite Boca Grove’s Orthodox community and try to make the community unappealing to them by passing a resolution to rip up this walking path so Orthodox families would be forced to take a longer and more dangerous route to synagogue that was exposed to the sun and heat. Numerous safety concerns have been raised about this plan, as it would force families to cross the street six different times along one of Boca Grove’s busiest roads to get to synagogue and poses minimal benefit, if any, to the community at

large. The project is a waste of members' fees to make a change that is obviously unnecessary for the purpose of harassing the Orthodox community. Boca Grove is currently in the process of ripping apart the path, causing massive disruption to Orthodox families.

38. Boca Grove's current and recent board members have repeatedly expressed discriminatory animus against Boca Grove's Orthodox community. Richard Buch is on Boca Grove's Board and is one of Boca Grove's most prominent real estate brokers. After personally profiting from the large initial movement of Orthodox families to Boca Grove, he is now one of the Board's most anti-Orthodox members. Numerous real estate agents and potential buyers in recent years have experienced Buch making false and targeted statements to visibly Orthodox families looking to buy a home in Boca Grove with the intent of dissuading them from looking in the community, including statements echoing the 2021 discriminatory declaration against the Orthodox community, such as, "There will never be a kosher kitchen in Boca Grove." Buch has also expressed his anti-Orthodox bigotry freely within the community, openly stating to other members, "These Orthodox are such a thorn in my back."

39. In advance of Boca Grove's 2025 board elections, a retiring board member who had served for seven years, Jim Perilstein, reflected his and other board members' anti-Orthodox intentions in an email to the community in which he gave thinly-veiled encouragement to limiting the representation of the Orthodox community on the Board and limiting the accommodations made so Orthodox members could participate in amenities.⁴ He then endorsed two anti-Orthodox board members for re-election, Brandon Rippo and Larry Cohen—both of whom were elected.

⁴ Exhibit D.

B. Boca Grove's Board has abused Boca Grove's grievance process to punish Orthodox members more severely than non-Orthodox members.

40. Boca Grove's Board and management have discriminated against Orthodox members directly through Boca Grove's grievance process, repeatedly imposing severe punishments on Orthodox members for anodyne and minor conduct while giving lesser punishments to non-Orthodox members for egregious and unlawful behavior.

41. The Board's discriminatory over-punishment of Orthodox members compared to non-Orthodox members is part of Boca Grove's deliberate effort to make the Orthodox community feel unwelcome, and the Board has staffed Boca Grove's hearing committee for that purpose. Under Florida law and Boca Grove's Amended By-Laws, the Board is required to appoint a hearing committee composed of three Boca Grove members who are neither on the Board nor related to board members.⁵ The hearing committee's role is to review grievance punishments imposed by the Board and determine whether to approve them or reject them either entirely or until a more appropriate punishment is proposed.⁶ A grievance punishment imposed by the Board cannot go into effect until approved by the hearing committee.⁷

42. For at least the last three years, the only constant member of the hearing committee has been Randy Miller, an anti-Orthodox community member who is friends with the anti-Orthodox board members and was hand-picked by them to serve their discriminatory interests on the hearing committee. Miller was chosen for the hearing committee so that these anti-Orthodox board members would reliably be able to impose harsh and disproportionate punishments against

⁵ Exhibit E at 95.

⁶ *Id.*

⁷ *Id.*

Orthodox members. Together, the Board and Miller have misused the grievance process as part of their campaign to drive Orthodox Jews away from Boca Grove.

43. In 2022, the Board punished Orthodox community member Jerry Abramson with a 90-day suspension for “interference with a contractor.” Abramson is a member of Boca Grove’s food and beverage committee and works in the kosher food and beverage industry. Due to his profession, he is highly familiar with kosher laws regarding food and the rules and restrictions required for food ingredients, preparation, and service to be kosher. At the request of Orthodox community members, he was in contact with the kosher compliance manager (referred to as a “mashgiach”) that Boca Grove hired to oversee its kosher food service and events about concerns with Boca Grove’s kosher food service.

44. The role of mashgiach is important under Jewish law because consumption of non-kosher food and drink is strictly prohibited and the laws that must be observed are meticulous and require care to uphold. Almost all ingredients or prepared foods must be specifically certified as kosher by relevant, trusted religious authorities. At multiple of Boca Grove’s kosher events, Orthodox members encountered issues with receiving non-kosher food items. Within a five-week span, these issues occurred at least three separate times. Orthodox community members asked Abramson to bring these issues to the mashgiach’s attention so they could be addressed. A primary concern was that the mashgiach was not upholding the degree of kosher standards that he had represented to the community that he would.

45. In their conversations, the mashgiach complained to Abramson that the Board and Boca Grove’s management did not give him sufficient resources and support to do his job properly. The mashgiach emphasized that Boca Grove would not even allow him to do a pre-opening meeting with the servers before kosher events to inform them about basic procedures required to

ensure there were no kosher compliance issues. Within the kosher compliance industry, a mashgiach's reputation is everything. Any lapses in the kosher adherence of the food prepared and served under his oversight can destroy his career and bring him disgrace because of the importance of kosher law within the Orthodox community and the trust that communities must place in a mashgiach to ensure the food and drink they consume is kosher. From speaking with Abramson about the gap in the kosher standards that could be maintained at Boca Grove, the mashgiach realized his reputation and career were at-risk and ultimately decided to cease his role at Boca Grove.

46. Boca Grove's general manager, Jennifer Jolly, pushed for an exit interview with the mashgiach, during which she repeatedly asked him what had driven him to leave. After much cajoling by Jolly, he explained he was leaving due to the reputational risks he incurred from his work at Boca Grove and the potential jeopardy it posed to his primary mashgiach work, referring to his conversations with Abramson about the repeated kosher compliance issues.

47. The Board at this time was led by the notably anti-Orthodox Mark Gilman. Thus, the mashgiach's explanation, rather than making the Board and Boca Grove's management review their fidelity to Boca Grove's Orthodox community and to providing the value they promised at kosher events, sent the Board into a rage at Abramson for addressing Boca Grove's issues with kosher compliance. A grievance was then summarily brought against Abramson for "interfering" with the mashgiach's work by politely and collegially addressing an important lapse in Boca Grove's kosher food service that threatened to violate its Orthodox members' fundamental religious beliefs—the spiritual equivalent of pointing out that someone had been served food he had told the staff he was allergic to.

48. Though all that Abramson had done was speak with the mashgiach about kosher concerns, for which Abramson had never received a prior complaint or notice that he was doing anything wrong, Gilman led the Board in imposing a 90-day suspension on Abramson and his entire family, banning them from the Club and its amenities. The hearing committee, led by Miller, affirmed the 90-day suspension. The wedding of Abramson's daughter occurred during the term of the suspension. As a result of its prohibitions, the bride and groom were banned from taking wedding photos on Boca Grove's golf course.

49. In 2024, the Board took similarly harsh measures against Orthodox member Warren Lent. Lent had persistent frustrations with the limitations on kosher food service provided by Boca Grove at the Club and its events and with Boca Grove's treatment of him and other Orthodox community members. Lent was familiar with the anti-Orthodox statements and actions taken by anti-Orthodox community and board members, including the misuse of Boca Grove's security officers to harass Orthodox community members for non-existent security concerns. One particularly egregious incident that stood out to Lent was when Boca Grove security gathered at Boca Grove's main gate during Shabbat on a Saturday to engage in excessive, unnecessary, and burdensome security screenings of the many Orthodox families who were walking to and from the synagogue located just outside the gate. The screening was atypical, as member-families regularly walk past the gate without issue or inquiry, and forced families with small children to stand in the Florida heat and sun for a prolonged period without any apparent security concern that needed to be addressed. By all appearances, it was a gratuitous measure ordered by the Board to harass the Orthodox community.

50. Lent vocalized his frustration about this and other selective enforcement of the rules against Orthodox members when Boca Grove security came to his home the following day to

chastise him for having friends over on a Sunday to help clean his car in advance of Passover, in an alleged violation of Boca Grove's rules for contractors. Lent was calm and respectful throughout the conversation. The security officers acknowledged that many of the rules violations that had been reported against Lent and others came from board members who lived nearby.

51. Around the same time, Lent had also repeatedly expressed his frustrations to Jennifer Jolly about the lack of any meaningful kosher options at the Club's biggest social events, which he felt needlessly excluded Boca Grove's large Orthodox community despite the high fees they paid to belong to Boca Grove. Lent addressed that Boca Grove consistently charged attendance fees for events without kosher dining options that were lower than the events' actual catering costs, which meant that general membership fees were subsidizing these events. Lent was thus frustrated that he and Orthodox members were subsidizing the cost of events that he felt the Orthodox community was implicitly excluded from attending.

52. In expressing his frustration, he sent Jolly a copy of Boca Grove's flyer advertising its 2024 Presidents' Day pool party with two additional lines added to it sarcastically stating that Orthodox members were unwelcome at the event but that their financial support for it was appreciated.⁸ Lent sent Jolly the marked-up flyer in a private email exchange between the two of them.

53. The Board swiftly punished Lent for this conduct. It accused him of "vandalizing" one of Boca Grove's posters by editing a digital image of the Presidents' Day party flyer with two lines of text and sending it in private correspondence with Jolly, and accused him of "resist[ing] appropriate enforcement actions" by "making baseless and unfounded accusations of discrimination against Boca Grove management" when he calmly expressed to Boca Grove

⁸ Exhibit F.

security that he thought the rules were selectively enforced against him and other Orthodox Jews the day after Orthodox families walking to and from synagogue on Shabbat were harassed with a needless mass security screening at the main gate. The Board imposed a \$500 fine and a staggering 364-day suspension on Lent, his wife, and his entire family. This punishment remains the most punitive measure the Board has taken in the last three years, and it was inflicted on an Orthodox member for simply voicing frustrations about the Board's and management's treatment of Orthodox members. The penalty was so severe that even the Board's hand-selected hearing committee adjusted Lent's suspension down to 90 days.

54. Abramson and Lent, both Orthodox Jews, were punished with 90-day suspensions for conduct that was not violent or unlawful, and that attempted to address issues or frustrations with Boca Grove's treatment of the Orthodox community. In Lent's case, the Board had intended to punish him with a 364-day suspension and fine. The Board did this despite consistently punishing actual anti-social behavior by non-Orthodox members more lightly. Non-orthodox members who have harassed other members and their children, who have engaged in hate speech, and who have verbally abused staff have consistently been given punishments as light as a warning letter or 7-day suspension. For non-Orthodox members, the most severe punishment the Board is generally willing to propose is a 30-day suspension, with the hearing committee frequently rejecting even these suspensions and refusing to allow any punishments to be imposed.

55. The only conduct by non-Orthodox members, other than a physical altercation between members,⁹ that the Board sought to punish with a 90-day suspension was an instance of sexual harassment toward a staff member and two instances of offensive language toward staff.

⁹ This exceptional incident resulted in the Board seeking a 6-month and 8-month suspension against the offending members, which were revised to a 90-day suspension and 6-month suspension respectively after a hearing.

Even there, the hearing committee reduced the penalty for the sexual harassment incident and one of the verbal abuse incidents to 75 days—treating sexual harassment by a non-Orthodox member more lightly than Abramson and Lent’s comments about Boca Grove’s treatment of the Orthodox community.

56. Further demonstrating the Board’s anti-Orthodox bias, the Board departed from Boca Grove’s standards for fines and penalties in setting Lent’s punishment at a 364-day suspension and \$500 fine. Under Boca Grove’s Rules and Regulations, the range of penalties available for allegedly acting in an abusive manner against staff or a member is a suspension of 1–3 months.¹⁰ While the Board has the power to depart from these standards “based on the severity of the violation,” it has only been against Lent and other Orthodox Jews, including Plaintiff Isaac Scharf and several of his friends as explained later in the Complaint, that it has done so.

57. The Board’s misuse of the grievance process to discriminate against Orthodox members was also demonstrated in its hypocritical and discriminatory conduct relating to board elections. In 2022, during the runup to the board elections, an Orthodox community member, Josh Light sent a WhatsApp message wishing “good luck” to 3 candidates by name, followed by another message wishing “good luck to all the candidates.”

58. At the time, Boca Grove maintained a rule against “campaigning” in board elections. Despite Light being clear about his general neutrality toward the various candidates and being positive in wishing luck to all of them, Richard Buch¹¹ and anti-Orthodox board member Larry Cohen seized on the opportunity to punish Light for supposedly violating Boca Grove’s Election Rules. Buch brought a grievance against Light, and Cohen used his board position to push

¹⁰ Exhibit C at 39.

¹¹ Richard Buch was not yet a board member at this time.

through a suspension against Light and his entire family for his message of generic positivity to the candidates. Cohen and Buch succeeded in getting the entire Light family suspended for 30 days.

59. Cohen then engaged in a far worse violation of the Election Rules when he attended a 2025 Super Bowl party with his wife and two friends while they all wore matching shirts and jackets that said, “Vote for Larry Cohen.” The Election Rules prohibit “posting, circulating, displaying, or distributing campaign material on Boca Grove or POA premises.”¹² Unlike Josh Light’s arguable non-offense, Cohen and his wife and friends clearly and directly violated the rules by “displaying ... campaign material on Boca Grove or POA premises.” Under the Election Rules, the prescribed punishment for Cohen’s conduct was a termination of his candidacy and 30-day suspensions for his wife and friends.¹³

60. On February 18, 2025, in response to this blatant display of hypocrisy and misuse of power, Plaintiff Isaac Scharf submitted a grievance to Jennifer Jolly against Cohen and his wife and friends for violating the rules.¹⁴ Isaac identified in his grievance that Cohen and the others violated the Election Rules and that Cohen was thus subject to his candidacy being terminated and that Cohen’s wife and friends were subject to being suspended for 30-days—like what Cohen and Bush had maliciously inflicted on the Lights.¹⁵ Isaac also explained that this group’s conduct violated Rule 3 of Boca Grove’s Rules and Regulations by being disrespectful and uncivil to other members through brazenly violating Boca Grove’s election rules and imposing contentious campaigning into a community social event where it was explicitly prohibited.¹⁶

¹² Exhibit C at 8.

¹³ *Id.*

¹⁴ Exhibit G at 1.

¹⁵ *Id.*

¹⁶ *Id.*

61. Jolly refused to open the grievance, telling Isaac that “this was already brought to the Nominating Committee” and that it was not “a grievable offense.”

62. Jolly’s summary declaration that a grievance could not be brought against Cohen and the others was shocking to Isaac in light of the Board’s vigorous prosecution of the grievance against Josh Light for comparatively inoffensive conduct that reasonably should have been considered not a violation of the election rules at all.

63. Isaac responded to confirm to Jolly that he nevertheless wished to bring a grievance based on the groups’ violation of Rule 3.¹⁷ Jolly flatly denied his request, saying, “It’s already been reviewed and ruled on.”¹⁸

64. The anti-Orthodox double-standard in the Board’s and Boca Grove management’s handling of board elections—excessively and discriminatorily punishing an Orthodox candidate’s family on a trumped-up violation while allowing a non-Orthodox board member and his wife and friends to get away with open rules violations—is indicative of a broader trend of Boca Grove’s anti-Orthodox bias in elections.

65. On information and belief, based on reports from those familiar with Boca Grove’s internal operations and board elections, Boca Grove’s nominating committee—which is appointed by the Board and plays a central role in determining who runs for the Board and how elections are administrated—has taken direction from the Board to actively block Orthodox Jewish candidates from getting on the ballot. This has been done as part of an effort to limit the influence of Orthodox families in Boca Grove’s governance—an effort reflected in Jim Perilstein’s community-wide email encouraging the same. The Board’s strategy has been to allow just enough Orthodox

¹⁷ *Id.*

¹⁸ *Id.*

participation in Boca Grove's governance to try to avoid legal scrutiny, but not enough to afford Orthodox Jews any meaningful influence or cultural presence in the community's leadership.

II. Boca Grove punished the entire Scharf family as part of its anti-Orthodox discrimination campaign.

A. Isaac brought a Jewish golf influencer to Boca Grove for a round of golf.

66. In December 2024, a sequence of events began that resulted in the entire Scharf family being punished as victims of the anti-Orthodox board members' campaign to make Orthodox Jews unwelcome in Boca Grove.

67. Early in December, Plaintiff Isaac Scharf connected with a golf influencer named Jake Adams to ask if he would like to join him for a round of golf at Boca Grove. Adams runs a golf-themed comedic social media account called Country Club Adjacent.¹⁹ Adams is a non-Orthodox Jew and a popular feature of his account is doing video reviews of country clubs that are either explicitly Jewish or have a large Jewish membership, which he refers to as "Jewish country clubs." Adams frequently ends these videos with an encouragement for his audience members to invite him to their "Jewish country club." Isaac, like many golf enthusiasts, both Jewish and not Jewish, is a fan of Adams' humor and wanted to share his pride and appreciation for the Boca Grove community with Adams' audience by inviting Adams to play with him and do a "review" of Boca Grove.

68. Though Boca Grove maintains no rules requiring special approval for guests like Adams, social media content by its members, or non-disruptively recording social media content at its amenities or on the golf course, Isaac went out of his way to be respectful and courteous to Boca Grove by reaching out to staff about Adams' visit.

¹⁹ Country Club Adjacent (@countryclubadjacent), Instagram, <https://www.instagram.com/countryclubadjacent/?hl=en>.

69. On Wednesday, December 4, 2024, Isaac texted Jennifer Jolly to share with her that he was in touch with Adams and had invited him to play golf that coming Sunday, December 8, 2024.²⁰ Isaac sent her a link to Adams' Instagram account so she could see his profile and content. He was curious whether Boca Grove would comp Adams' round of golf as a guest because he is an influencer who could provide marketing value to Boca Grove through his visit. According to text-message read receipts, Jolly received the message at 3:23 PM on December 4th, though she never responded to it.²¹

70. Because Isaac did not hear back from Jolly and December 8th was not far away, he also called the Club's Golf Pro Shop and spoke with its manager, Dan Pendola. He explained to Pendola that Adams, a popular golf influencer, would be visiting on Sunday and wanted to play a round and do a video. From the conversation, Pendola appeared to be a fan of Adams' and was excited to hear that he would be coming to play at Boca Grove and do a review. Because there was a golf tournament scheduled for Sunday morning, Isaac asked whether the course would be available in the afternoon. Isaac was clear that he did not want to interfere with the Club's tournament or disturb other members with his golf outing with Adams. Pendola confirmed the course would be available on Sunday afternoon, telling Isaac "Come later in the afternoon, after 1:00 PM."

71. Pendola raised no concerns about Adams joining for a round of golf and doing a video. On the contrary, he and other staff were eager for it to happen.

72. After setting up the timing for the golf outing, Isaac reached out to three friends who belong to Boca Grove's Orthodox Jewish community to ask if they would like to join. They

²⁰ Exhibit H.

²¹ *Id.*

were not familiar with Adams' content or that he would be doing a video "review" of Boca Grove but were happy to enjoy an afternoon of golf together.

73. On December 8, 2024, Adams met up with Isaac and the three others for the golf round. Based on what Pendola said about timing, they came around noon to check in and get things ready for the round. As Adams checked in, he introduced himself to Club staff, who were extremely enthusiastic—Adams' humor is very popular in the golf community, especially among its younger members—and directed him to the various areas he would be going and offered to assist in any manner during his visit. Isaac and the group also notified the staff regarding a kosher food delivery that one of the members of the group had arranged. The staff offered to either bring the food out to the group or hold on to it for them by the turn after the 9th hole.

74. The golf outing was pleasant and uneventful. At the turn between the 9th hole and the 10th hole, the group took a break at Boca Grove's clubhouse to eat the kosher food that had been brought in. Pendola and other staff from the Golf Pro Shop, including its other manager, Rob DiMatteo, joined for the meal, enjoying the food and watching Adams film his "pickle review," which is a staple segment of his country club reviews and done in a comedically serious manner.

75. As the group rested while enjoying the meal, one of its members rushed home so he could get what he needed to quickly wrap tefillin—a daily Jewish religious practice, usually done in the morning, in which a Jewish man dons a set of ritual items on his arm and head and recites several blessings and prayers. As he left to get his tefillin, the rest of the group asked Adams if he would also like to wrap tefillin, offering to guide him through doing so. Adams graciously replied, "Yes, I'd love to; I haven't put on tefillin since my Bar Mitzvah."

76. When the member who ran home for his tefillin returned, the group was in the locker room facility. Isaac helped Adams wrap the tefillin and recite the associated blessings and

prayers. It was a beautiful moment that occurred spontaneously and was a sincere expression of Jewish pride and brotherhood. After they finished, they resumed playing golf. The entire process of wrapping tefillin takes no more than five minutes.

77. At the 12th hole, Pendola drove out to meet the group where they were teeing off and brought a gift of an official Boca Grove branded shirt and hat for Adams. Isaac had not asked Pendola to do this; it was an unsolicited and gracious gesture of welcome to Adams by the Club's Golf Pro Shop. Pendola stayed on for a few minutes and happily enjoyed the camaraderie as the group continued playing.

78. Pendola was apparently very familiar with Adams' content, as he encouraged the group to move quickly on to the 13th hole so Adams could record his "Bar Mitzvah hole" segment before it got too dark. Another staple segment in Adams' golf videos is referring to the 13th hole of a golf course as the "Bar Mitzvah hole"—because a Jewish boy's Bar Mitzvah occurs when he is 13 years old—and to have a celebration with his golf partners after finishing a putt for par. At the 13th hole, Adams led Isaac and his friends in a little celebratory dance together for a few seconds as part of this segment while Pendola recorded.

79. The group finished the rest of the golf round peacefully, enjoying the game and one another's company, with Adams appreciative of Pendola's thoughtful gift on behalf of the Club and the warm reception he had received from Pendola and all the rest of the staff. Adams then joined Isaac for a kosher meal at the Club, where Adams noted and was impressed by the kosher offerings that were available.

80. During and after the golf outing, Adams took brief videos of the outing and the amenities at the Club.

81. Throughout the rest of December 2024, Isaac golfed several more times at Boca Grove's golf course. Each time, he saw Pendola, DiMatteo, and other Golf Pro Shop staff and they would excitedly inquire about Adams' video on Boca Grove, asking Isaac, "When's the video coming out?" "Is it almost ready?" "Let us know when we can watch it." They never expressed any concern about the video or its potential content; they were always positive and enthusiastic about it. Isaac did not receive any concern or comment from any Boca Grove board members, staff, or representatives.

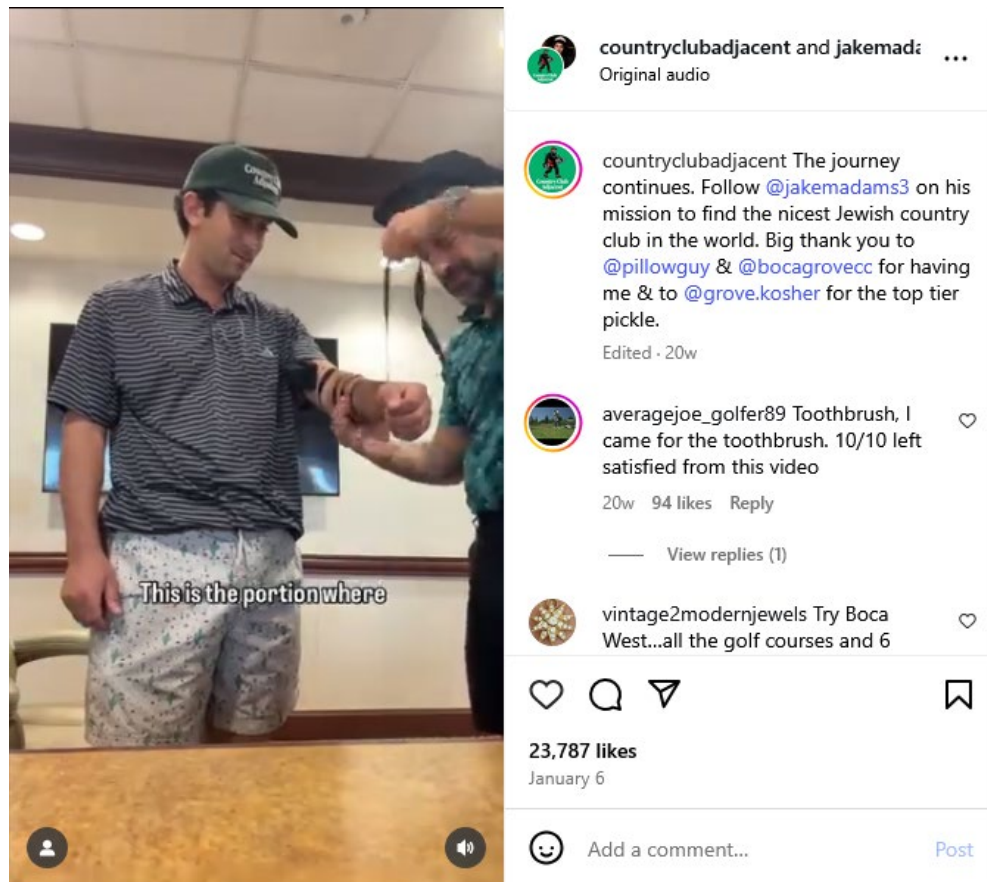
82. The impression Isaac had received from Boca Grove overall about Adams' visit and upcoming video was enthusiastic—the Club's staff knew about Adams' visit in advance because of Isaac's inquiries with Jolly and Pendola; Adams was welcomed with positivity and free gear; and staff were eager to see Adams' review. Isaac was aware that Boca Grove's Instagram account followed both Adams' Country Club Adjacent account and Adams' personal account on Instagram.

B. The anti-Orthodox board members were furious with Adams' video because it made Boca Grove look inviting to Orthodox Jews and initiated a grievance against Isaac to punish him for it.

83. On January 6, 2025, Adams released a short video from his golf outing with Isaac and his friends at Boca Grove.²² The video was a compilation of seconds-long short clips from the golf outing and of Boca Grove's grounds and amenities, including a clip of Isaac assisting Adams with wrapping tefillin at the clubhouse, Adams' pickle review, and a clip of the group doing a celebratory dance at the "Bar Mitzvah hole." Overlaid over the footage was voice narration from Adams making Jewish-themed light jokes and puns about his visit to the Club and how nice the

²² Country Club Adjacent (@countryclubadjacent), Instagram, https://www.instagram.com/p/DEgPYTUy3_a/ (Jan. 6, 2025).

amenities and kosher dining options were. Adams ended the video rating Boca Grove a 9.2/10 country club and encouraging his viewers to invite him to their Jewish country club.



Screenshot from Adams' video of Plaintiff Isaac Scharf helping Adams wrap tefillin in the Club's locker room.

84. Adams recorded, edited, and published the video entirely on his own. Isaac had no control over its content; he had simply invited Adams to be his guest for a round of golf because he was a fan of his content and thought it would be fun and positive for the community if Adams wanted to do a review of his time at the Club.

85. When Adams posted the video, Boca Grove's Instagram account (@bocagrovecc) liked it and left a positive comment on it.²³ Isaac received positive feedback about the video from

²³ The comment has since been deleted.

Boca Grove staff and other Boca Grove members, both Orthodox and non-Orthodox, who thought it was funny and that it made the community look great.

86. Despite the inoffensive nature of the video and the positive reactions from staff and community members, Isaac soon heard that members of the Board were furious about it. He did not know at the time that this was because anti-Orthodox board members believed the video made Boca Grove appear too Orthodox and too attractive to Orthodox Jews based on Adams' referring to Boca Grove as a "Jewish country club," emphasizing the Club's kosher amenities, and showing a clip of Isaac and Adams wrapping tefillin in the Club's locker room. It enraged these board members that the video undermined their goal of driving away Boca Grove's Orthodox community.

87. Following the video's publication, these board members called for an emergency investigation into the facts surrounding the video before the Board's next scheduled meeting on January 13, 2025. The Board employed a factfinder named Robert Furr.

88. On January 10, 2025, Isaac was traveling internationally when he received a call from Jennifer Jolly. She told him: "I just wanted to let you know—the Board is upset about the video. They're talking about grieving you. But don't worry too much. You didn't break any rules. I really don't think this is a big deal. Just write up the facts and I'm sure it'll be fine."

89. Jolly's phone call was the first notification Isaac received from Boca Grove about a potential grievance against him.

90. Shortly after Jolly's call, Isaac received multiple voicemails from Furr, who explained that he had been tasked with fact-finding related to the video and demanded Isaac respond to his factual inquiry.

91. On January 12, 2025, Isaac responded to Furr with a comprehensive email providing a clear overview of the events leading up to and during the golf outing with Adams, including his outreach to Jolly and Pendola in advance of the outing and the warm reception and participation his group had received from Boca Grove's staff.²⁴

92. In preparing his response to Furr, Isaac reached out to Adams about the video and the feedback it had received. Adams told Isaac that the response was overwhelmingly positive, that viewers had recognized the "world class" facilities of the Club and how it appeared to have an inclusive community, and that it was always Adams' intention to showcase Boca Grove's warmth, particularly toward the Jewish community. Adams informed Isaac that if the Board deemed it necessary he would consider editing his post or addressing any misunderstandings or issues in a follow up post to ensure that Boca Grove was accurately and positively represented. Isaac shared all this information for the Board's benefit in his email to Furr, including Adams' email address so the Board could reach out to him if it wanted.²⁵

93. On January 13, 2025, the Board had a meeting during which it discussed Adams' video. Jolly and Furr presented the results of Furr's fact-finding. Their presentation was a lopsided case against Isaac and the other Orthodox members who joined the golf outing, omitting important contextual information like Adams' video being one of many comedic videos he did about "Jewish" country clubs across the country, many of which are not formally Jewish by any means, and failing to share Isaac's January 12th email that explained the entire situation, how Adams had been encouraged by Club staff who knew about, facilitated, and were excited for his video, how neither Isaac nor Adams had taken any action to present Boca Grove in anything other than a

²⁴ See Exhibit I.

²⁵ *Id.*

positive light, and how Adams had offered to edit or clarify his post about Boca Grove if the Board requested it.

94. On information and belief based on reports from individuals familiar with the meeting, the anti-Orthodox board members engineered the meeting to be lopsided in this manner so that they could get the Board to punish Isaac and the other Orthodox members of the golf outing for making Boca Grove look appealing to Orthodox Jews. Based on the selective presentation of evidence, the anti-Orthodox members were able to push the Board into penalizing Isaac and the three other Orthodox members for an “offensive social media video” in violation of Rule 3 of Boca Grove’s rules and regulations, which requires members’ and guests’ conduct to “be tempered with courtesy and respect for fellow members, Boca Grove employees and employees of contractors” and to “treat everyone with civility and in a manner that would not be offensive to a reasonable person.”²⁶

95. On January 14, 2025, Isaac received a Notice of Violation and Proposed Penalty from the Board.²⁷ The notice informed Isaac that the Board had reviewed a grievance against him based on Adams’ video and sought to punish him with a total ban on his and his family’s access to all Boca Grove amenities for 90-days because Adams’ video contained “references to religious practices that have been deemed offensive to a reasonable person.”

At a Regular Meeting of the Board of Directors (“Board”) held on January 13, 2025, the Board reviewed a grievance describing a video posted on social media, tagging bocagrovecc. The video was filmed by your guest on Boca Grove property on December 8, 2024. In the video, there are several references to religious practices that have been deemed offensive to a reasonable person. Upon further investigation and review, the Board has determined that the grievance constitutes a violation by

²⁶ Exhibit C at 8.

²⁷ Exhibit J.

you of the Boca Grove Rules and Regulations (“Boca Grove Rules”), General Rules 3 as well as a violation of the Code of Ethics, which is attached.

...

The Board has taken into consideration the above-referenced conduct and has proposed a penalty of ninety (90) days suspension. Suspension includes, without limitation, the deactivation of all auto transponders associated with your membership. During the suspension, you and any of your family members, medical aide, nanny/housekeeper and/or guests are prohibited from using any and all POA property, facilities and services, which include the clubhouse, pool area, pool dining, The Curve, all Curve classes, the playground, children’s facilities, tennis facilities including pickleball courts, any and all golf facilities, driving range, putting green and the golf course. The suspension will not preclude you from using the sidewalks, roads and entrances to the Boca Grove community.²⁸

96. The notice failed to articulate the Board’s basis for finding that Isaac had violated Rule 3. It did not articulate what “references to religious practices” in Adams’ video were an issue or how they were “offensive to a reasonable person.” The notice also did not explain why the Board was punishing Isaac for Adams’ video when, as explained at length in Isaac’s January 12th email to Furr, both men had exceedingly positive intentions toward Boca Grove, Isaac was not personally responsible for any content in the video, Boca Grove staff encouraged and facilitated the video, and Adams had explicitly offered to edit his post or take further actions to address any of the Board’s concerns and ensure Boca Grove was portrayed positively as he had intended.

97. The notice also accused Isaac of violating Boca Grove’s Code of Ethics²⁹ but failed to specify what provision of it he had supposedly violated. There do not appear to be any provisions of the Code of Ethics applicable to Isaac based on Adams’ video.³⁰

²⁸ *Id.*

²⁹ Exhibit K.

³⁰ *Id.*

98. Like with Lent, the Board's proposed punishment against Isaac, a 90-day suspension, vastly exceeded the penalty standards set forth in Boca Grove's Rules and Regulations. Under Boca Grove's standards, Isaac's conduct—violating Rule 3 through involvement with a social media video—would be classified as “Any violation of other Boca Grove rules,” for which the standard punishments are mild:

First Offense: Warning

Second Offense: \$50.00

Third Offense: \$100.00

Fourth Offense: \$100.00 + 1 Week Family Transponder Suspension.³¹

99. Despite Isaac having no previous issues with Boca Grove's rules and despite Isaac undertaking his challenged conduct in good faith and with good intentions, the Board departed from Boca Grove's penalty standards to impose one of its most severe penalties against him for his first offense.

100. The Board's set a hearing before Boca Grove's hearing committee on January 30, 2025, to review the punishment. Because this proposed hearing date overlapped with travel Isaac had scheduled, he contacted Jolly to ask for an alternative date. Isaac subsequently received notice that the hearing date had been moved to February 11, 2025. Jolly and the Board set this date without consulting Isaac, who was scheduled to travel during this time as well.

101. Isaac then communicated with the Board to reschedule the hearing, proposing the hearing date be set for March 11, 2025. The Board was resistant to rescheduling the hearing despite not collaborating with Isaac to set either of the first two proposed dates. It was only when Isaac explained that the Board was not acting in good faith in working with him to set a mutually agreeable date for the hearing that the Board relented and agreed to reschedule to March 11th.³²

³¹ Exhibit C at 39.

³² Exhibit L at 4–5.

102. On information and belief, based on details provided by those familiar with the matter, at least one of the members of Boca Grove's hearing committee, the already anti-Orthodox Randy Miller, was incensed by Isaac's effort to have the hearing rescheduled to a date he could actually attend and declared to others his intent to punish Isaac for doing so—indicating he planned to inflict a penalty on Isaac regardless of the merits of the underlying grievance just for attempting to find a date on which he could participate in the proceedings.

C. The Board punished the other members of the golf outing with excessive penalties despite their not having a role in arranging the golf outing or inviting Adams.

103. At the same January 13, 2025, meeting during which the Board's anti-Orthodox members pushed the Board into punishing Isaac, the Board also issued penalties against the three other Orthodox members who attended the golf outing. Despite none of them knowing about Adams' intent to do a video review of Boca Grove,³³ and despite Adams being Isaac's guest, not any of theirs, the Board still issued suspensions against all three of them.

104. The Board punished two of them with 14-day suspensions on the same basis as Isaac—for an “offensive social media video” that contained “references to religious practices that have been deemed offensive to a reasonable person.” The third member of the group was punished with a 30-day suspension for the additional reason that he had been the one to have the kosher food brought in, which the Board claimed was in violation of Boca Grove's rules on dining, despite the Club's staff directly participating in bringing in and serving the food.

105. All three of these punishments, like Isaac's, exceeded the penalty standards in Boca Grove's rules, which would have had them all punished with only a warning as a first offense, or at most a \$100 fine and a one-week suspension of their auto transponders if it had been their fourth

³³ Exhibit M.

offense.³⁴ The hearing committee subsequently reduced the two 14-day suspensions to a 7-day suspension³⁵ and a warning letter and reduced the 30-day suspension to a 14-day suspension with an exception to the household suspension made for the member's special needs son.

D. The Board prohibited Isaac from bringing any of his intended witnesses to the hearing.

106. On March 9, 2025, Isaac sent the Board an email with the list of the witnesses he intended to have provide testimony during the hearing.³⁶ The list included Kevin Ross and Shlomo Goldman, two of the Orthodox members who joined in the December 8th golf outing, Jake Adams, Rabbi Yaakov Gibber, the Rabbi of the nearby synagogue which the Scharfs and the vast majority of Boca Grove's Orthodox members attend, Geoffrey Newman, a board member, and Pendola and DiMatteo of the Golf Pro Shop.³⁷ Isaac also inquired as to whether Boca Grove would record the hearing and if he could record it personally.³⁸

107. On March 10, 2025, the Board responded with newly-announced restrictions on Isaac's ability to bring witnesses in his defense.³⁹ Framing disclosure of these restrictions as a "reminder" despite it being the first time Isaac was told this information, the Board stated that the hearing's purpose was for Isaac "to have the opportunity to show cause why the proposed discipline should not be imposed" and that this meant that he may speak and provide information that supported his position but that his options for witnesses were limited.⁴⁰ Isaac was told that only "individuals who were physically present may be permitted to speak, at the discretion of the

³⁴ Exhibit C at 38.

³⁵ This member retained an attorney to dispute his penalty and the Board ultimately withdrew his suspension.

³⁶ Exhibit L at 6.

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.* at 7.

⁴⁰ *Id.*

hearing panel, but those who were not physically present or who have already been heard by the hearing panel will not have an opportunity to speak, unless otherwise determined to be necessary by the hearing panel.”⁴¹ Isaac was also told that Boca Grove “does not record nor allow recording of any grievance hearing proceedings.”⁴²

108. Isaac was then told that Ross, Goldman, Pendola, and DiMatteo would not be permitted as witnesses because they had already “been heard” by the hearing panel in separate grievances related to the golf outing, and that Rabbi Gibber and Newman would not be permitted to speak because they were “not physically present” during the events in question. As a result, Isaac was left without any witnesses in his support.

109. Attached to the Board’s email was a document describing “hearing etiquette” for Boca Groves “Fining and Suspension Process.”⁴³ The document did not state any rules or restrictions regarding witnesses like those stated by the Board. Nor are there any such restrictions contained in Boca Grove’s Declaration, By-Laws, or Rules and Regulations.

E. During the hearing, the Board’s anti-Orthodox motivation for punishing Isaac was openly stated.

110. On March 11, 2025, Isaac went to Boca Grove’s clubhouse to attend the hearing.

111. As Isaac was waiting outside the meeting room where the hearing was to take place, Jolly entered the room and spoke with him. She asked where Isaac’s witnesses were. Isaac was confused by Jolly’s question, as she was involved in arranging the hearing and communicating with him about the restrictions on his witnesses. Isaac explained that he did not have witnesses with him because of the Board’s restrictions.

⁴¹ *Id.*

⁴² *Id.*

⁴³ Exhibit N.

112. Isaac then asked Jolly about the procedure for entering the hearing room and starting the hearing. She stated that everyone involved in the hearing would enter together. But when the time for the hearing arrived, Jolly and Isaac entered the room and Isaac saw that all the other participants and witnesses arrayed against him by the Board were already in the room together.

113. Attending the hearing were the hearing committee, Randy Miller, Alan Utensky, and Elaine Weiner; the Board's witnesses against Isaac, Jolly as Boca Grove's general manager, Pendola and DiMatteo as employees of Boca Grove's Golf Pro Shop; a Boca Grove staff member there to take notes; and two board members, Brandon Rippo (the board president) and Curt Smith.

114. Given that the Board had found reasons to deny Isaac's ability to bring any of his proposed witnesses, he was shocked to see that Boca Grove had shown up with a full suite of club staff, internal leadership, and board members ready to advocate in favor of punishing him for Adams' video.

115. The tone and conduct of the hearing was immediately unprofessional and antagonistic against Isaac. Randy Miller was particularly aggressive, condescending, and biased. When Miller observed Isaac taking notes on the proceedings because he had been denied witnesses and recording the hearing was prohibited, he mocked him: "Oh, this is very, very, very, very important. Better take good notes." Isaac recognized this as an expression of Miller's antipathy toward him and an attempt to rattle him.

116. Isaac had prepared an agenda of points he wished to address about Adams' visit and why punishment against him for any "references to religious practices" in Adams' video was unwarranted and improper; one of which was discussing how he had helped Adams wrap tefillin in the Boca Grove men's locker room. He had assumed that part of, if not all of, the reason the

Board deemed Adams' video offensive based on its "references to religious practices" was that Adams had been lightly comedic in his narration about Isaac helping him wrap tefillin.

117. Isaac began explaining that wrapping tefillin is a beautiful Jewish ritual and that it was a meaningful moment and an honor to help Adams wrap tefillin for the first time since his Bar Mitzvah; that there is a long tradition of Jews wrapping tefillin in locker rooms before athletic activity; that Adams is known for being lovingly light-hearted, particularly about Jewish culture, and that Adams neither intended to offend anyone with the comedy in the video nor reasonably should have because his humor is mainstream and highly popular within the Jewish community.

118. Isaac's explanation was interrupted by Jennifer Jolly and Alan Utensky. Jolly interjected to state that the Board's problem with Adams' video was not behavior, it was optics. She stated that the reason for the Board's anger and the grievance against Isaac was how visibly Orthodox Jewish the video was. The Board was particularly furious with the clip of Isaac helping Adams wrap tefillin in the locker room because it made Boca Grove look too friendly and inviting to the Orthodox Jews; the Board was similarly angered by Adams referring to Boca Grove as a "Jewish country club." The Board perceived it as staining Boca Grove's name and reputation to be so associated with Orthodox Jews and was worried that it would only further encourage Orthodox families to move to the community.

119. Utensky confirmed Jolly's explanation and echoed the Board's disdain with Boca Grove being known as Orthodox, stating that the mere act of wrapping tefillin on video in Boca Grove's locker room was offensive because it made Boca Grove look Orthodox. Randy Miller joined in as well, angrily stating, "We're not a Jewish Country Club."

120. Jolly and the hearing committee members also stated how they and the Board were livid with Adams' video jokingly referring to the kosher café offerings by Boca Grove's pool as

the “Starbucks of David” and his description of the various kosher dining options available at Boca Grove for the same reasons.

121. They confirmed that the basis for the grievance against Isaac was not that Adams’ video had insulted or disrespected any members of the Jewish community, but that it had offended the Board by showing Orthodox Jewish life at Boca Grove and making Boca Grove look too positive for Orthodox Jews.

122. This was the first time that Isaac had heard the true reason for the Board’s grievance against him. Up to this point, Isaac had never received an explanation about what content within Adams’ video the Board had taken issue with and had determined to be “offensive to a reasonable person.” Isaac was thus taken aback, as Jolly, Utensky, and Miller had plainly stated that Boca Grove was religiously discriminating against him because the Board had deemed Orthodox religious practices like wrapping tefillin “offensive to a reasonable person.” He was shocked that they were willing to openly admit to the Board’s bigotry against Orthodox Jews and their own in the middle of the hearing and state it as the motivation for why he was being punished. Jolly, Utensky, and Miller were unabashed and lacked any self-consciousness in telling Isaac that the Board was penalizing him because he was in a video that made Boca Groove look too welcoming to Orthodox Jews by showing tefillin being wrapped on the property.

123. Isaac was also surprised by this anger against a display of Orthodox Judaism at the Club because Boca Grove has consistently promoted Christian religious events and celebrations, including spending tens of thousands of dollars on a lavish Easter celebration that featured a helicopter Easter egg drop and an Easter bunny performer.

124. Alongside Jolly’s, Utensky’s, and Miller’s statements confirming that the Board was motivated by anti-Orthodox animus to punish Isaac for Adams’ video because it portrayed

Boca Grove as too Orthodox-friendly, there were signs that the Board and Boca Grove's management withheld information to influence the grievance process against Isaac.

125. During the hearing, the third member of the hearing committee, Elaine Wyner, stated that she had only been shown a single video of Adams'—the video of his visit to Boca Grove—and that she had not been told anything about the background or context of the video and Adams' work, including that the video was intended to be comedic, that Adams is a Jewish comedian, and that it was one of dozens of similar videos Adams has made about various different golf clubs and resorts. She also had not been shown the email Isaac sent on January 12th explaining what happened during the golf outing and that Adams had received a warm reception from Boca Grove staff.

126. Isaac raised with the hearing committee that it appeared that a few members of the Board were leading the grievance process to a set conclusion against him by omitting key facts and information, such as how Isaac's email from January 12th had not been shared with members of the Board at the January 13th meeting where the Board decided on punishing him. Miller attempted to dispute this criticism by asking board president Brandon Rippo whether he had received a copy of Isaac's January 12th email. Rippo was visibly unfamiliar with what Miller was referring to and could not readily respond that he had seen the email. Jolly then stepped in, claiming that she had sent it to Rippo. Jolly and Miller clearly intended for Rippo to confirm that he had seen it and provide "cover" for the Board. Picking up on their cues, Rippo then fumbled with and looked at his phone and hurriedly confirmed that he had previously received the email and reviewed it.

127. At the end of the hearing, Jolly and the hearing committee said it was time for everyone other than the hearing committee to leave the room while the committee deliberated. As

Isaac was exiting alongside Jolly, he saw that the board members, Rippo and Smith, were staying behind in the room and talking with the hearing committee as they were deliberating. This confused Isaac based on what he had just been told about the hearing committee needing to deliberate without outside interference and based on the requirements of Section 8.4 of Boca Grove's By-Laws and Fla. Stat. Ann. § 720.305(2)(b)-(c), which state that the Board's suspension may not be imposed unless confirmed by a hearing committee comprised of three members "who are not either officers, directors, or employees of the association"⁴⁴ Based on these rules, Isaac did not understand why the board president and another board member were interfering in the hearing committee's decision-making after the hearing's close.

128. Shortly after the hearing, the hearing committee issued its determination approving the Board's proposed 90-day suspension. Boca Grove sent Isaac a notice that the suspension had been approved:

After full consideration of the relevant facts, the Committee voted unanimously to approve the proposed 90-days suspension.

Accordingly, the 90-days suspension is effective immediately as of March 11, 2025, and will end on June 9, 2025.

Please note that suspension includes, without limitation, the deactivation of all auto transponders associated with your membership. You and/or your guests are prohibited from using any and all POA property, facilities and services, which include the clubhouse, pool area, pool dining, The Curve, all Curve classes, the playground, children's facilities, tennis facilities including pickleball courts, any and all golf facilities, driving range, putting green and the golf course. The suspension will not preclude you from using the sidewalks, roads and entrances to the Boca Grove community.

Please conduct yourself accordingly.⁴⁵

⁴⁴ Exhibit E at 95.

⁴⁵ Exhibit O.

F. Further incidents after the hearing corroborate the Board's anti-Orthodox animus in punishing Isaac.

129. Within a short period of time after the hearing, there were two additional incidents that further suggest that Isaac was targeted for punishment by the Board because the Board was furious that Adams' video made Boca Grove look too welcoming to Orthodox Jews.

130. The first was when Isaac had a chance interaction with one of the board members, Geoffrey Newman, by the tennis courts. Isaac approached Newman and told him that he had serious concerns about what was happening with the grievance and how he was being targeted for a video he had not posted and was not responsible for. Newman responded: "Well, the video was bad. We had so many complaints. Tons of people reached out—they were very upset. We had to do something." Isaac then asked how many people had complained and what they had complained about. Newman could not give Isaac an answer and just repeated that the Board had received a lot of feedback and supposedly had no choice but to act.

131. Jolly, Utensky, and Miller had made similar claims during the hearing about the supposed volume of complaints that the Board had received about Adams' video. As with Newman, they did not articulate what the substance of the complaints was or how many had been received.

132. Following the conversation with Newman, Isaac made a records request to Boca Grove for the complaints it had received related to Adams' video. All that Boca Grove produced was a single transcribed voicemail.⁴⁶ It produced no other evidence of the many complaints it had allegedly received. The lack of any additional records of complaints about Adams' video indicates that Newman, Jolly, Utensky, and Miller were repeating a false narrative that the Board had

⁴⁶ Exhibit P.

developed to justify punishing Isaac based on the Board's desire to retaliate against him due to certain members' anti-Orthodox bigotry.

133. The second incident occurred at Boca Grove's café within two weeks of the hearing. The two board members who sat in on the hearing and appeared to influence the committee's decision to approve Isaac's punishment, Brandon Rippo and Curt Smith, had a meeting at the café with a small group of Boca Grove members to discuss tensions in the community. During the conversation, Rippo and Smith stated that they did not want Boca Grove "to be known as a kosher club" despite the Club offering many kosher amenities and events. One of the members in the conversation challenged them, asking, "Why is that a problem? Would you say the same thing if this were a Black country club?" Smith responded angrily and without hesitation, "I wouldn't want this to be known as a Black country club either."

134. In addition to these incidents, the Board has apparently further retaliated against the positive depiction of Orthodox life and welcomeness at Boca Grove in Adams' video by rolling back the Club's kosher offerings. Since the video's publication, the Board has canceled multiple of its regular kosher events and dining options despite their extreme popularity. The Board's pretextual reason for these cancellations is that the kosher events are insufficiently attended, but this justification is belied by the kosher events' popularity and high attendance. This justification is further belied by the Board's willingness to host a rankly misogynistic "Playboy" themed party during the same period, which was organized at exorbitant cost and, predictably, sparsely attended, as neither Boca Grove's many Orthodox members nor many of its non-Orthodox members wished to be associated with such a vulgar theme.

G. The Board extended the suspension to the entire Scharf family to further punish Isaac and torment him for making Boca Grove look welcoming to Orthodox Jews.

135. The 90-day suspension that the Board imposed on Isaac on March 11, 2025, was initially limited to only Isaac personally and his guests. The terms of the suspension were that the Scharfs' auto transponders, which allowed Isaac and his wife Danielle to drive past the gate into Boca Grove in the residents' lane rather than wait in a separate, often delayed visitors' lane to be screened by security, were deactivated and that Isaac and his guests were prohibited "from using any and all [Boca Grove] property, facilities, and services." This included "the clubhouse, pool area, pool dining, The Curve [Boca Grove's gym], all Curve classes, the playground, children's facilities, tennis facilities including pickleball courts, any and all golf facilities, driving range, putting green and the golf course."⁴⁷

136. The Board soon amended the suspension to gratuitously target Danielle and the Scharf children as well, expanding the suspension to prohibit them from all access and participation in Boca Grove's amenities and social life.

137. This change was made after Isaac's 14-year-old son, C.S., went to play a round of golf on Sunday, March 16, 2025. C.S. is an avid golf player and often plays on Sundays. C.S. had no involvement with his father's golf outing with Adams and has never had any issues with Boca Grove's rules and regulations. He is respectful, kind, and well-regarded within the community. Based on the suspension's language, there were no restrictions on his right to play golf at the community's golf course.

⁴⁷ Exhibit O.

138. Despite the clear language of the suspension, Isaac received a call from Jennifer Jolly after C.S. went to play golf, bluntly stating: “It was brought to my attention that your son was golfing today. Just so you’re aware, your entire family is suspended, not just you.”

139. Isaac responded calmly and respectfully that the suspension notice contained no such terms and that if the Board’s intent was to punish his entire family because Adams’ video showed Jewish religious practices at Boca Grove, the Board should have explicitly said so. Isaac then followed up with a text to Jolly confirming that he had reviewed the suspension notice again and that it clearly limited its terms to only Isaac and his personal guests.

140. Two days later, on March 18, 2025, Isaac received a new letter from the Board declaring that the suspension notice had been amended so that the suspension applied to “[y]ou and any of your family members, medical aide, nanny/housekeeper and/or guests.”⁴⁸

141. The Board’s extension of Isaac’s punishment to his wife and children was done in direct retaliation against C.S., a fourteen-year-old boy, for playing golf with a friend.

142. After the suspension was announced and was expanded to include Isaac’s wife and children, numerous members of the Boca Grove community, both non-Orthodox and Orthodox, vigorously contacted the Board and Boca Grove’s management, sending emails and even circulating a petition, to plead that the Board at least not punish the children.

143. The Board has previously exempted the children of Boca Grove members from suspensions, making exceptions when the conduct at issue did not involve the children and the punishment would be gratuitous, as with the example of the other member of the golf outing whose special needs son was exempted from the member’s 14-day suspension. The Board has demonstrated that it has fundamental discretion in determining the scope of the penalties it imposes

⁴⁸ Exhibit Q.

and it has repeatedly withdrawn or reduced penalties on further consideration, as demonstrated when the Board withdrew the suspension for one of the other members of the golf outing when he retained counsel and objected to the penalty, and when the Board reversed a 90-day suspension against another family midway through its term.

144. The Board ignored or dismissed all these attempts to spare the Scharf children from the suspension without any meaningful reply, refusing to exempt C.S., H.S., R.S., Edward, and Alex despite their having nothing to do with Adams' video.

III. The Board's discriminatory anti-Orthodox suspension has inflicted needless social, emotional, and mental harm on the entire Scharf family, particularly the children.

145. For the last two-and-a-half months, the Board's retaliatory suspension has cut the entire Scharf family out of life at Boca Grove. The impact has been terrible. It has severely disrupted the family's social lives and their day-to-day activities. The emotional toll of the suspension has been profound and ongoing, with the Scharfs not simply losing their access to amenities, but being publicly humiliated, socially isolated, and excluded from the community where they live, the children are being raised, and Isaac and Danielle pay full dues. They have lost their peace of mind, their comfort in their own home, and their sense of belonging in the Boca Grove community, both as individuals and as Jews—all because certain Board members detest that the world had an opportunity to see Orthodox Jews enjoying the Boca Grove community.

A. C.S.'s harm from the suspension.

146. Following the family's suspension, Isaac's teenage son, C.S., immediately began to withdraw socially, worried that other Boca Grove members and staff would confront him or scold him if he went out in the community, which has happened repeatedly. At least twice as C.S. went

around the community—not violating any of the terms of the suspension—adult members yelled at him for being out in the community, telling him he must leave.

147. He has grown increasingly more isolated as time has gone on and he has been unable to socialize with other children in common spaces or participate in social life in the community. He became afraid to go anywhere near the teen lounge, gym, golf course, or even the general clubhouse area, all of which he previously enjoyed and which were central to him socializing with his friends and enjoying his childhood.

148. The worst moment for him was on April 14, 2025. Boca Grove offered a kosher-for-Passover tearoom during the Passover holiday as a place for children in the community to gather, socialize, and enjoy food. On that day, C.S. was scooting along the sidewalk with a group of friends near the tearoom. C.S. did not go inside or even leave the sidewalk, but a member saw him nearby and shouted at him in front of his friends, “Scharf! You can’t be here! You’re punished!” C.S. came home distraught, having once again been berated by an adult and publicly humiliated despite doing nothing wrong, just because his father was incidentally connected to a video that upset the Board by showing Orthodox life at Boca Grove positively.

149. The suspension has led C.S. to experience social fear and distress about public embarrassment and confrontation. He has struggled deeply with feelings of guilt from the Board extending the suspension to the entire family after he went golfing on March 16, 2025, in what he believed was full compliance with the suspension letter. Despite Isaac and Danielle doing all they can to reassure him otherwise, he has since been deeply uncomfortable with even leaving home.

150. He has been isolated, worried, unable to go where he has previously spent much of his time, and afraid that someone might confront him, question him, or embarrass him again. Since the tearoom incident in particular, he has isolated himself further. When friends suggest hanging

out at the clubhouse, he lies and says he's busy or avoids them altogether because he does not want to be a burden and does not want to be angrily and publicly told by an adult yet again that he does not belong.

B. H.S.'s harm from the suspension.

151. Isaac and Danielle's five-year-old son, H.S., has been affected the worst by the suspension.

152. The Scharf family regularly goes to Boca Grove's pool on Sundays. It is how they socialize, get out of the house, and enjoy the community. It is how H.S. sees his friends and spends time with his mother, father, and siblings. But with the suspension, Isaac and Danielle have had to repeatedly tell H.S. he cannot go to the pool anymore or to any other activity that is part of his routine and sense of normalcy—without being able to give him a good reason why.

153. Every Sunday, Isaac and Danielle are forced to lie: "the pool is closed today;" "they're cleaning the water;" "it's just for grown-ups today." But H.S. knows his friends are still able to go. When he hears his friends say, "We're going to the pool, see you there!" he becomes despondent and inconsolable, asking his parents over and over, "why can't we go too?" Isaac and Danielle are bereft of an answer they can give him that would not hurt him even more. Telling H.S. the truth about the situation—that the whole family is being punished because members of the Board did not like that his father wrapped tefillin at the clubhouse and do not want Boca Grove to seem welcome to Orthodox Jews—would be too hard to explain and would make him fearful of being a Jew at Boca Grove.

154. The family had the same issues with the once-a-month kosher events at the clubhouse. One of H.S.'s friends left the Scharfs' house to go to one of the events and asked H.S. if he wanted to join. H.S.'s eyes lit up and he asked if he could go, then begged if he could go.

When Isaac and Danielle had to tell him, “No” (again), he was left crying, asking why he was not allowed to go if he had done nothing wrong.

155. For months, Isaac and Danielle have encouraged H.S. to try playing tennis and to join the Club’s junior tennis clinic on Sundays and Wednesdays. H.S. had been hesitant, until one day a friend of his was being picked up from the Scharfs’ house and asked, “I’m going to tennis, want to come?” For the first time, H.S. wanted to go. But Isaac and Danielle again had to tell him, “No,” and watch as H.S.’s moment of excitement and openness turned to sadness and confusion. It was frustrating and upsetting for the entire family—for Isaac and Danielle as parents forced to tell their young son over and over that he could not participate in the community and activities he enjoyed and wanted to try, and for H.S. as a young child trying to understand why his life had suddenly and inexplicably changed.

156. The suspension has crushed H.S. He has suffered confusion, frustration, and a growing sense of exclusion. He is too young to understand what a “suspension” means or why his friends get to enjoy the club’s amenities while he cannot join them. When he sees his friends leave his house to go to the pool or to kosher dining events or to play tennis and he cannot join, he just cries. Like C.S., H.S. has had trouble with internalizing a sense of blame and guilt related to the suspension, unable to understand how he could be excluded from his community, his friends, and his sense of normalcy unless he had done something wrong.

157. It has been heart-wrenching for Isaac and Danielle to watch their beloved, happy, and bright young son crushed by denial after denial and exclusion after exclusion, clearly changing over time as he has become withdrawn, all while they cannot do a thing about it.

C. R.S.'s harm from the suspension.

158. The suspension has affected Isaac and Danielle's one-year-old baby daughter R.S. as well. Prior to the suspension, Danielle or R.S.'s nanny would take her to the Club's park area near the pool, for walks around the clubhouse and its amenities, and to the playground. They would get water and other drinks for R.S. and themselves from the clubhouse's machines and push R.S. on the swings.

159. Under the suspension, neither baby R.S. nor her mother or nanny are allowed at any of these locations. Due to the Board's vindictiveness at a video showing a several-second clip of her father wrapping tefillin on Adams' arm, R.S. cannot even be pushed on a swing by her mother or nanny.

D. Danielle Scharf's harm from the suspension.

160. Danielle has been harmed by the suspension socially, religiously, and emotionally. Danielle is strongly engaged with the Boca Grove community and the majority of her close friends are other members. The suspension interfered not only with her ability to participate in the social life of the community, but with the participation of many other women in the community who are her friends as well.

161. One illustrative example occurred with a birthday celebration Danielle and several friends had planned for one of the women in the community. They organized an exercise class at Boca Grove's gym to be led by one of the club's trainers. Following the suspension's extension to the entire family, one of the women realized that Danielle would not be allowed on Club property, so the women moved the event to one woman's backyard because it was an available space that could accommodate all the guests. They hired an outside trainer that they paid for out-of-pocket—which would have been free at the Club's gym—and attempted to enjoy the event as planned. In

the South Florida heat, the event went awry, with at least five of the women unable to continue participating due to the brutal weather—including Danielle. Danielle was left embarrassed, ashamed, and overwhelmed with guilt for being the reason the women had to change everything to accommodate her.

162. Another example was when Danielle and Isaac were forced to miss a special Shabbat dinner hosted at Boca Grove's clubhouse the Friday night before Passover started. The dinner is one of the largest social and religious events for Orthodox members of the Boca Grove community and is meant to help religiously observant Jewish families prepare their homes for the Passover holiday. It has been a deeply meaningful event for Isaac and Danielle each year, but they were excluded from the event even as all of their friends went because of the Board's retaliation against Isaac.

163. The greatest pain of the suspension for Danielle has been the burden of seeing her children suffer. As a devoted mother, Danielle has carried the emotional weight of the entire family's torment and isolation. While suffering her own isolation and stress, she has been the one to manage the fallout for the children: answering five-year-old H.S.'s confused and distraught questions about why he is isolated from his friends and caring for his despondency, comforting teenage C.S. and addressing his isolation; and trying to maintain the family's social relationships while they have all has been excluded from the social occasions and activities that the community is built around. She has suffered embarrassment, guilt, and shame from the disruptions and compromises her friends have endured in going out of their way to include her. She has cried at night from the suffering her children are experiencing and the social isolation and humiliation she feels.

E. Isaac Scharf's harm from the suspension.

164. The suspension has taken a tremendous toll on Isaac as a husband and father forced to see his wife and children suffer due to the Board's backlash against him for being part of a video positively depicting Orthodox Jewish life at Boca Grove.

165. While Isaac was prepared to deal with the exclusion and isolation the suspension would impose on him when it was initially limited only to him and his guests, he was not prepared for the same to happen to his beloved wife and children. Seeing his wife and children shamed, embarrassed, harassed, and excluded because he wrapped tefillin in a few seconds of a light-hearted video has been devastating for Isaac. He has had to watch as the neighborhood he worked hard to move his family to so they could live in a strong and welcoming Orthodox community and enjoy a good life has turned against him. He has had to see his wife and children suffer as the entire family has become collateral damage in Boca Grove's campaign to make Orthodox Jews unwelcome and put in their place.

166. Isaac has had to lie to his young son H.S. to try to spare his feelings and keep him from fearing Boca Grove as he has cried despondently over being shorn from his friends and routine; he has had to watch his teenage son C.S. retreat into silence and isolation; and he has had to see his wife endure shame, guilt, and humiliation. He has had sleepless nights and has cried with Danielle about the strain the family has had to endure because of the Board's retaliation against him for being visibly Orthodox at Boca Grove. He has had to pretend like everything is fine while his family's sense of peace and belonging in their own home and community has been taken from them.

F. Edward Scharf's harm from the suspension.

167. Isaac's young-adult sons Edward and Alex have also been harmed by the suspension. They were both scheduled to come back home to visit Isaac and the rest of the family prior to and during Passover, but the suspension impaired their visits home.

168. Edward, like his brother C.S., is an avid golfer and will golf 36 holes in a day when the opportunity arises. He is well-liked and well-regarded within the Boca Grove community and has bonded with friends in the community through a shared love of golf. When he came home to visit his family in early April 2025, his friends' parents would not let them associate with him out of worry that Boca Grove would retaliate against them. Out of sympathy for the suspension, Edward was asked by several other members to golf with them as their guests, but he refused to join out of concern that this would violate Boca Grove's rules and lead to consequences against these members for their kindness toward him.

G. Alex Scharf's harm from the suspension.

169. With Alex, due to the severe disruption to the family's social life and ability to use the amenities they had structured their family routines and communal life around, Isaac and Danielle decided that it would make more sense and be more enjoyable for Alex for him to go on a short trip with his friends rather than come home sooner. Isaac and Danielle saw how severely Edward's, C.S.'s, and H.S.'s lives were disrupted and harmed by the suspension and decided it would be best to spare Alex the same problems by letting him travel with his friends rather than come home to the same isolation and exclusion his brothers were facing.

IV. The Scharfs have incurred great financial expense in replacing what the suspension has taken from them.

170. The Board's discriminatory suspension has imposed monetary and lifestyle burdens on the Scharfs. The fees to belong to Boca Grove are steep—about \$40,000 per year—in return for which member families are meant to have access to the Club's gym, pool and dining facilities, golf course and tennis courts, playground and play areas for young children, social areas for older children, children's activities, and kosher dining and community events.

171. The complete exclusion of all members of the Scharf family from these amenities has upended key aspects of their lives, particularly the children's, which were built around these amenities that Isaac works hard to provide. The family has spent significant time, money, and effort to find alternatives and cobble together a semblance of what they had before the suspension.

172. Isaac and Danielle were both forced to get new gym memberships as they were denied access to Boca Grove's fitness facilities. To approximate the convenience and flexibility that the Boca Grove facilities provided, and around which they had structured the family's schedule, Isaac and Danielle each had to join multiple gyms. This was not only a large financial expense, but also a large drain on their time and energy, as they now had to restructure their schedules and commute to the various gym facilities, whereas before they could travel to and from Boca Grove's gym in less than five minutes.

173. Isaac and Danielle have had to find alternative activities for the three children at home, C.S., H.S., and R.S., particularly on weekends. Previously, C.S. could join his friends for golf or at the teenage social area, H.S. could go to the pool, children's activities, and community events, and R.S. could be taken to the playground and on the swings. Now, none of these activities are available to the children.

174. Each weekend and throughout the week, Isaac and Danielle have had to plan around where the family *could not* go instead of where they wanted to go. They have had to find places and activities their children could enjoy, and pay for them all out-of-pocket, to maintain some sense of normalcy and family fun.

175. Isaac and Danielle have had to invent explanations for H.S. for why the family cannot attend each holiday, Sunday, and Club event the family is excluded from. They have had to field embarrassing questions from friends who did not understand why the family was not showing up to community events. They have had to schedule trips and make other plans repeatedly during major community and religious events to avoid being home and isolated when they otherwise would have joined the rest of the community to protect their children from sadness and confusion.

176. The biggest disruption from the suspension came to the family's Passover plans. Passover at Boca Grove is a holiday during which Orthodox members enjoy special events and come together as a community, spending large amounts of time enjoying the Club while taking time off from work and school. Edward and Alex, after more than a year away from home, were scheduled to return and join the rest of the family in celebrating the holiday. But with the suspension excluding the entire family from any of the activities and things they would do together—golf, the pool, the children's play areas, the kosher holiday events—Isaac and Danielle could not bear the idea of having the older boys home after all their time away only to isolate them from the rest of the community and have them be unwelcome in their own neighborhood. Because Isaac and Danielle were excluded from their own community during one of the most joyous holidays of the year, they booked a last-minute trip to a Passover holiday program in California to take their children to just to provide them a place where they could be comfortable and feel

included and celebrate the holiday and the older boys' visit home without issue, at a cost of tens-of-thousands of dollars.

177. The family had to make similar arrangements for Mother's Day and Memorial Day. For Mother's Day, the Boca Grove community comes together for a large celebration, in which families attend events at the Club and enjoy a day honoring the community's devoted mothers, like Danielle. But instead of joining their friends and community in celebration, the family was excluded and had to make alternative plans, going to a water park instead.

178. Memorial Day at Boca Grove is one of the biggest celebrations of the year, for all members of the community, featuring a kosher barbecue, water slides, games, music, and community programming. All of the family's friends, adults and children alike, would be attending. Rather than force their children to stay home and ask why they could not be part of the community's celebration, Isaac and Danielle booked a stay at a resort hotel with water attractions to try to replicate what they could of the experience for their children.

179. Despite the suspension banning the entire family from all enjoyment of the Club, its amenities and community events, and forcing the family to arrange costly alternatives, Isaac and Danielle have still been required to pay membership dues to Boca Grove throughout the 90-day suspension. The Board stripped the Scharfs of the value of their membership to punish Isaac for making Boca Grove look too welcoming to Orthodox Jews while demanding they continue to pay full price for the amenities they are excluded from.

180. If Isaac and Danielle were to object to the Board's discrimination against their family by withholding their dues during the suspension, Boca Grove would assess large penalty fees against them and their membership could be revoked, putting them in a position where they would plausibly have to move. As a result, Isaac and Danielle are in the humiliating position of

dutifully paying full price to Boca Grove after the Board went out of its way to hurt the entire family, including their children, based on their religion.

COUNT I

Fair Housing Act, 42 U.S.C. § 3604

Housing Discrimination

181. Plaintiffs repeat and incorporate by reference the allegations in paragraphs 1–180.

182. The federal Fair Housing Act (“FHA”) prohibits “discriminatory housing practices,” including discrimination “against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status, or national origin.” The Defendant is subject to the FHA.

183. Boca Grove imposed a 90-day suspension on Plaintiffs to deny them access to Boca Grove’s amenities and events for discriminatory reasons. Boca Grove imposed the suspension for the explicit discriminatory purpose of punishing Plaintiff Isaac Scharf because the Board viewed Jake Adams’ video as making Boca Grove look too Orthodox and too inviting to Orthodox Jews, which undermined the efforts of at least some board members to make Boca Grove unwelcoming to Orthodox Jews.

184. The Board punished Plaintiffs collectively with a 90-day suspension to set an example to the Orthodox community as part of its ongoing anti-Orthodox discrimination campaign despite Isaac’s conduct not reasonably violating any rules and despite the punishment that was imposed being far in excess of Boca Grove’s own guidelines, which prescribed penalizing him with a simple warning letter.

185. Each Plaintiff was harmed mentally and emotionally by Boca Grove's discriminatory suspension of the entire family. Each Plaintiff seeks non-economic compensatory damages.

186. Plaintiffs Isaac and Danielle Scharf were harmed financially by the costs they incurred in working around the hardships and disruptions the suspension imposed on their family. Plaintiffs Isaac and Danielle seek economic compensatory damages.

COUNT II

Fair Housing Act, 42 U.S.C. § 3617

Interference with Enjoyment of Fair Housing Rights

187. Plaintiffs repeat and incorporate by reference the allegations in paragraphs 1 - 180.

188. The FHA prohibits coercion, intimidation, threats, or interference with any person in the exercise or enjoyment of any right to fair housing provided by the FHA, including the right to enjoy the benefits of membership in a homeowners' association without religious discrimination. The Defendant is subject to the FHA.

189. Boca Grove interfered with Plaintiffs' right to enjoy their membership in Boca Grove free of religious discrimination when it discriminatorily suspended Plaintiffs' access to Boca Grove's amenities and events as punishment against Plaintiff Isaac Scharf because the Board viewed Jake Adams' video as making Boca Grove look too Orthodox and too inviting to Orthodox Jews, which undermined the efforts of at least some board members to make Boca Grove unwelcoming to Orthodox Jews.

190. The Board punished Plaintiffs collectively with a 90-day suspension to set an example to the Orthodox community as part of its ongoing anti-Orthodox discrimination campaign despite Isaac's conduct not reasonably violating any rules and despite the punishment that was

imposed being far in excess of Boca Grove's own guidelines, which prescribed penalizing him with a simple warning letter.

191. Each Plaintiff was harmed mentally and emotionally by Boca Grove's discriminatory suspension of the entire family. Each Plaintiff seeks non-economic compensatory damages.

192. Plaintiffs Isaac and Danielle Scharf were harmed financially by the costs they incurred in working around the hardships and disruptions the suspension imposed on their family. Plaintiffs Isaac and Danielle seek economic compensatory damages.

JURY TRIAL DEMANDED

Plaintiffs hereby demand a jury trial for all issues so triable.

PRAYER FOR RELIEF

Plaintiffs pray and request that a judgment be entered in their favor and against Boca Grove awarding them:

- a) Compensatory, consequential, and punitive damages of \$50,000,000 in the aggregate;
- b) Attorneys' fees, the costs of suit, and expenses;
- c) Pre-judgment interest and post-judgment interest at the maximum rate allowable by law; and
- d) Such other and further relief as the Court deems just and proper.

Respectfully submitted,

A handwritten signature in black ink, reading "Matt Sarelson" in a cursive script.

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